

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;  
OTTOMOTTO LLC; and OTTO  
TRUCKING LLC,

**ORDER DENYING OTTO  
TRUCKING'S REQUEST FOR  
PERMISSION TO MOVE FOR  
SUMMARY JUDGMENT**

Defendants.

The Court has reviewed defendant Otto Trucking LLC's request for permission to move for summary judgment (Dkt. No. 733) and plaintiff Waymo LLC's response thereto (Dkt. No. 752). The request is **DENIED** as premature given that the evidentiary record remains subject to significant change pending resolution of a multitude of ongoing discovery disputes, including defendants' continuing efforts to resist discovery via claims of privilege. This denial is without prejudice to Otto Trucking renewing its request after the close of fact discovery.

**IT IS SO ORDERED.**

Dated: June 29, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE